

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TAIJAY TODD,
Petitioner,

-v-

UNITED STATES OF AMERICA,

UNITED STATES OF AMERICA

-v-

TAIJAY TODD,
Defendant.

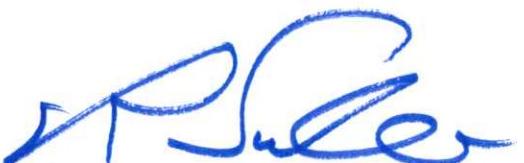
No. 16-cv-00382 (RJS)
ORDER

No. 12-cr-00045-4 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

As set forth on the record at Defendant's February 25, 2020 re-sentencing proceeding, IT IS HEREBY ORDERED THAT Defendant's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2255 is GRANTED as to Defendant's conviction under 18 U.S.C. § 924(c) and DENIED in all other respects. Accordingly, IT IS FURTHER ORDERED THAT Count 2 of Defendant's judgment and conviction is vacated and dismissed, and Count 1 is vacated for re-sentencing. The Clerk of the Court is respectfully directed to terminate the motion pending at document number 464 in 12-cr-45, and to enter judgment in favor of Petitioner in 16-cv-382 and close that case.
SO ORDERED.

Dated: February 26, 2020
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation